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OGC 64-0186

23 January 1964

MEMORANDUM FOR: Acting Director of Central Intelligence

SUBJECT: Proposals for Joint Committee on  
Intelligence

1. This memorandum suggests action by the Director of Central Intelligence. Suggested action is contained in paragraph 6.

2. The Administration's position on proposals for legislation to establish Joint Committees on Foreign Intelligence was established in February 1956. In answer to a request dated 7 October 1955 from the Executive Secretary of the National Security Council, the then Director, Mr. Dulles, submitted an analysis and recommendations on the subject, dated 6 January 1956 and attached as Tab A. The recommendations were that the Administration take the following positions regarding legislation:

a. That such a Committee would provide an unnecessary supplement to the review now being conducted by existing committees of the Congress;

b. That the present mechanisms of existing committees are adequate to carry on any further review which the Congress and the Executive may determine to be desirable in connection with foreign intelligence activities;

c. That such a Committee would create definite jurisdictional problems, due to the large and diverse number of Government agencies with responsibilities in the intelligence field, all of whom are now responsible to existing Congressional committees; and

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d. That the creation of such a Committee could raise substantial security problems and hamper the conduct of foreign relations by the Executive.

In Memorandum Action 1512, dated 1 February 1956, the National Security Council (a) noted this report, (b) concurred in the recommendations as providing a basis for Executive Branch policies on the Joint Committee question, and (c) circulated the paper to interested departments and agencies, including the Bureau of the Budget. This is still the established Administration position on the Joint Committee question.

3. In 1958 we prepared a further analysis of the problem (memorandum of 27 October 1958, Tab E). In that memorandum we concluded that while the establishment of a Joint Committee would not be disastrous for the Agency, on balance a Joint Committee would be undesirable (paragraph 11). We recommended, however, that the Agency should not take direct action to forestall a Joint Committee but as in the past respond to queries as to CIA's position that the matter is one for the Congress to decide (paragraph 12). We further recommended that this 27 October study be placed before the President's Board of Consultants on Foreign Intelligence for their comments. This memorandum and its recommendations were approved by the then DCI on 17 November 1958.

4. Fundamentally, nothing has changed since these two studies were made. Our own Subcommittees have been better formalized, their jurisdiction has been more clearly recognized, and we have made considerable efforts to have more frequent and complete hearings. Our efforts in this regard have been partially successful, and it is not for lack of effort on our part that they have not succeeded further. The Subcommittees have been too busy to give us the attention we ourselves desire. As to whether a Joint Committee would come to our defense in face of public attack more readily than our present Subcommittees do is debatable. At the time of Mr. McCone's confirmation we got strong support from many individual Senators against attacks on the Agency. In the House we got similar strong support last year at the time our Early Retirement Bill was debated. There has been, however, a noticeable silence in the recent flurry of criticism of the Agency and its activities.

5. At the present time we know that the Leadership and our Subcommittee Chairmen are unalterably opposed to a Joint Committee on Intelligence. To indicate to Senator Russell and

Mr. Vinson that we would hope for better protection from a Joint Committee would, I believe, be bitterly resented as a criticism of the way they handle their responsibilities.

6. It appears to me that the next step to be taken is for Mr. McCone to request Senator Russell, or someone designated by him, such as Senator Stearns or Senator Jackson, to make a major speech on the fundamentals involved and to have this followed by a Presidential commentary supporting the Senator's position. Meanwhile, Senator Dodd is preparing a speech in our defense which he will submit to us in draft in the near future. Then, the next step would be to continue our efforts to increase the frequency of hearings before our Subcommittees and to improve the personal rapport between senior Agency officials and members of our Subcommittees.

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General Counsel

Attachments

• Tabs A and B

cc: D/DCI/NIPE w/o att  
OGC/LC subject  
✓chrono  
OGC chrono  
OGC:L RH:jeb